

REMARKS/ARGUMENTS

The Office action dated April 13, 2009 has been received and carefully considered. By this amendment, claims 1, 10, and 17 have been amended and no new claims have been added. After entry of this Amendment, claims 1-20 will be pending. In view of these amendments and the following remarks, Applicants respectfully request reconsideration.

35 USC §103

The Office rejected **claims 1-4, 6-12, and 16-19** as being obvious over Markbreiter (U.S. Pat. No. 3,837,172) in view of Johnson (U.S. Pat. No. 5,457,951). The applicant respectfully disagrees, especially in view of the amendments herein.

Among other things, amended claims 1, 10, and 17 (and 4, 6-9, and 11-12, 16, and 18-19 by virtue of their dependence on amended claims 1, 10, and 17) expressly require that the heated liquefied natural gas is expanded as a *working fluid to produce electric power*. This limitation is neither taught nor suggested by Markbreiter et al. and/or Johnson.

With respect to the examiner's assertion that it would be obvious to modify Markbreiter with a cooling arrangement as shown by Johnson, the following is noted: First, Johnson's heating system fails to provide adequate heating for the heated LNG to perform any work, let alone to perform work to produce electrical power. Johnson's heating of the LNG is limited to regasify the LNG to a temperature suitable for fuel, which is entirely insufficient to produce any meaningful work. Second, Johnson's system for regasification of LNG is configured to satisfy the requirements for fuel gas regasification, which has a insignificant volume as compared to the volume as taught be Markbreiter. Consequently, if one would modify Markbreiter as suggested by the office, one would render Markbreiter's system inoperative for the intended purpose. Third, even if Johnson's system would provide substantial heating (which is not the case) and would be implemented into Markbreiter's system, heating would have to be limited the amount required for recompression of the rectifier overhead to pipeline pressure. Excess heating would overpressurize the pipeline in Markbreiter's system and so render Markbreiter again inoperative for the intended purpose. Fourth, it should be noted that while Johnson teaches use of LNG as a cooling fluid, Johnson fails to teach use of LNG as a working fluid, which is expressly required by the presently pending claims.

It is once more pointed out that the heat source in the presently claimed subject matter is cooled by the first portion of the LNG. In contrast, Markbreiter's heat source is a flame heater, which is not cooled by the LNG. In light of the arguments above, it should also be apparent that the replacement of Markbreiter's flame heater with Johnson's regasification system would not produce a working fluid suitable for power generation. Therefore, and at least for these reasons, claims 1-4, 6-12, and 16-19 should not be held obvious over Markbreiter in view of Johnson et al.

The Office rejected **claims 5-7, 13-15, and 20** as being obvious over Markbreiter in view of Johnson as applied above and further view of Shu et al. (U.S. Pat. No. 6,125,653). The applicant respectfully disagrees, especially in view of the amendments herein.

With respect to the combination of Markbreiter and Johnson, the same considerations and defects as pointed out above apply and are not reiterated here. Shu et al. fail to remedy these defects. Consequently, as all of the rejected claims are dependent claims, and as all of the independent claims from which the rejected claims depend were improperly rejected, the rejection of claims 5-7, 13-15, and 20 as being obvious over Markbreiter in view of Johnson and further view of Shu et al. should be withdrawn.

The Office rejected **claims 1-4, 8-12, and 16-19** as being obvious over Rambo et al (U.S. Pat. No. 5,114,451) in view of Johnson. The applicant respectfully disagrees, especially in view of the amendments herein.

More particularly, and similar to the rejection of claims 1-4, 6-12, and 16-19 as being obvious over Markbreiter and Johnson above, it is noted that Johnson (a) fails to use the gasified LNG as a working fluid, and (b) fails to provide heated gasified LNG at a temperature, pressure, and flow volume that would provide any significant work. Indeed, if Johnson's regasification system were to be implemented in Rambo's configuration, Rambo's process would be rendered inoperative for its intended purpose. Therefore, the rejection of claims 1-4, 8-12, and 16-19 as being obvious over Rambo et al. in view of Johnson is improper and should be withdrawn.

The Office rejected **claims 5-7, 13-15, and 20** as being obvious over Rambo et al. and Johnson in view of Shu et al. The applicant respectfully disagrees, especially in view of the amendments herein.

With respect to the combination of Rambo and Johnson, the same considerations and defects as pointed out above apply and are not reiterated here, and once more, Shu et al. fail to remedy these defects. Thus, as all of the rejected claims are dependent claims, and as all of the independent claims from which the rejected claims depend were improperly rejected, the rejection of claims 5-7, 13-15, and 20 as being obvious over Rambo in view of Johnson and further view of Shu et al. should be withdrawn.

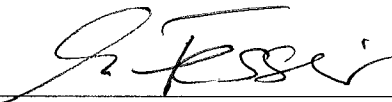
Lastly, all claims were previously deemed to meet the criteria of PCT Articles 33(2)-(3) as the same prior art as presently cited did not teach or fairly suggest a plant which uses LNG as a cooling medium which is then expanded as a working fluid to produce electrical power.

Request For Allowance

Claims 1-20 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,
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